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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Takahisa Ueda

Appln. No. : 08/581,050

Filed : December 27, 1995

For : PACKING

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)  
) Art Unit: 3108  
)  
) Ex: D. DePumpo  
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REPLY BRIEF

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The following observations are submitted pursuant to the provisions of 37 CFR 1.193(b) in reply to the Examiner's Answer of February 9, 1998.

(1)

In discussing Ueda '030, the examiner states on page 4 of the Examiner's Answer that "while Ueda does disclose that the graphite and reinforcing fiber are 'laminated' (which usually involves bonding), bonding is not explicitly mentioned."

The Ueda '030 patent is owned by the assignee of the present application. The assignee is intimately familiar with the various embodiments disclosed in Ueda '030. Figures 7 and 8 of Ueda '030 do disclose a laminate structure. However, the use of an adhesive is not disclosed, nor is or was such use contemplated. If necessary, the assignee is prepared to submit a declaration to this effect.

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Noted  
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[Signature]

An adhesive is purposely not used because a slight sliding of the fiber on the layer surface in order to effect twisting or braiding.

In discussing Ogino et al, the examiner states that "Ogino et al, however, teaches the use of longitudinally disposed fibers which are laminated and bonded with expanded graphite sheets by adhesives." The Ogino et al patent is also owned by the assignee of the present application. The assignee is also intimately familiar with the various embodiments disclosed in the Ogino et al patent. Fig. 2 of Ogino et al discloses an expanded graphite sheet to which a net-like structure is "pressingly contacted." Fig. 6 discloses an expanded graphite sheet to which a plurality of thin metallic threads are "pressingly contacted." To "pressingly contact" two members is to mechanically join them.

In Column 4 of Ogino et al, in lines 25-28, it is stated that "While in the embodiments above-mentioned the net-like structure 2 and the expanded graphite sheets 1 are unified by pressingly contacting them with each other, they may be unified with the use of suitable adhesives." This passage refers to the Fig. 2 embodiment, but not to the Fig. 6 embodiment. There is no suggestion to use adhesive with the threads of Fig. 6.

Also consider that the expanded graphite sheet of Ogino et al possesses surface impermeability and repellency, so that even if an adhesive is applied, it would be very easy to separate the two due shearing forces involved, thus making it virtually impossible to obtain a strong bonding force.

Once again, the assignee is prepared to submit a declaration to corroborate the above.

(2)

Regarding Case et al, it should be noted that Case et al employs a lubricating agent with the result that the lubricating agent hinders adhesion of the adhesive leading to weak bonding forces between the reinforcing material and the graphite.

According to the present invention, the bonding force produced by the adhesive with the expanded graphite particles and the reinforcing fibers is high so that separation under load (tensile stress or twisting force) is prevented. This ability of the packing according to the present invention results in a superior seal for the packing.

The Board is urged to consider the above observations in its deliberation.

Respectfully submitted,

By: 

Felix J. D'Ambrosio  
Reg No. 25,721

April 9, 1998

JONES, TULLAR & COOPER, P.C.  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

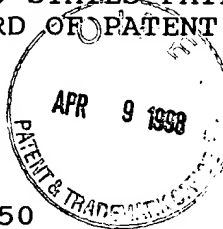
In re Application of

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Art Unit: 3108

Ex: D. DePumpo



REPLY BRIEF (3 copies)

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

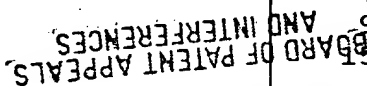
Sir:

Transmitted herewith is a Reply Brief (3 copies) in the above-identified application.

1. (X) An Oral Hearing is requested.
2. ( ) An Oral Hearing is requested on \_\_\_\_\_
3. ( ) An extension of time for filing the Brief on Appeal  
( ) is hereby requested.  
( ) was requested on \_\_\_\_\_.
4. ( ) A Verified Statement under 37 CFR 1.9 and 1.27  
( ) is enclosed.  
( ) is of record in this application.

The fee is calculated as follows:

	Large Entity	Small Entity	Amount
Filing Brief on Appeal	\$310.00	\$155.00	
Request for Oral Hearing	270.00	135.00	\$270.00
Request for Extension of Time for Filing Brief			
( ) 1 month	110.00	55.00	
( ) 2 months	400.00	200.00	
( ) 3 months	950.00	475.00	
( ) 4 months	510.00	755.00	



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4. ( ) No fee required.

No. 12300

5. (X) A check/ in the amount of \$270.00 is Enclosed.

6. ( ) Please charge Deposit Account No. 10-1213 in the amount of \$\_\_\_\_\_. A duplicate of this sheet is enclosed.

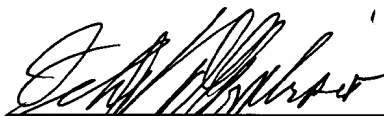
7. (X) The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 10-1213. A duplicate of this sheet is enclosed.

(X) Any patent application processing fees under 37 CFR 1.17.

( ) The Issue Fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

(X) Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

By:   
Felix J. D'Ambrosio  
Reg. No. 25,721

Date: April 9, 1998

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